

REMARKS

Summary of Claim Status

Claims 1-9 and 11-20 are pending in the present application after entry of the present amendment. Applicant gratefully acknowledges the withdrawal of the rejection of the claims as being unpatentable over Lundh et al. (U.S. 6,373,834, "Lundh") in view of Ahmavaara et al. (U.S. Patent Publication No. 2004/0013105, "Ahmavaara"). Claims 1-4, 9 and 11-12 are now rejected under 35 USC §103(a) as being unpatentable over Shida et al. (U.S. Patent 6,014,406, "Shida") in view of Lundh. Claims 5-8 and 13-20 remain allowed.

Applicant gratefully acknowledges the telephone conference on December 14, 2006 between the Examiner and John King, a representative for the Applicant. Applicant has amended the claims as suggested by the Examiner, and believes that the remaining claims clearly distinguish over the combination of references, and are in a condition for allowance.

Request for Withdrawal of Finality

Applicant thanks the Examiner for a thorough review of all claims, but if action other than allowance of the pending claims is to be made, Applicant respectfully requests that the finality of the office action be withdrawn. The Examiner stated that the action is made final because Applicant's amendment necessitated the new ground(s) of rejection. Applicant respectfully disagrees with this allegation. MPEP §706.07(a) provides that a second action on the merits shall be final:

except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on an information disclosure statement

Applicant's amendment to the Claim 1 in response to the previous office action was made to put Claim 1 in a condition for allowance by merely including the limitations of the allowed Claim 10. The amendment made by Applicant did not add limitations introducing new elements, and thus did not necessitate a new search and new grounds for rejection. Therefore, Applicant respectfully requests withdrawal of the

finality of the present Office Action. The remainder of the remarks assumes that such finality will in fact be withdrawn.

Rejections Under 35 U.S.C. § 103

In response to the rejection of Claims 1-4, 9 and 11-12 as being unpatentable over Shida in view of Lundh, Applicant has amended Claim 1 to indicate that a master transceiver performs channel bonding operations for "aligning data of a data stream transmitted in parallel by way of a plurality of data channels." Support for the amendment may be found at least in Fig. 4 and paragraphs [0003]-[0004] and paragraph [0024] of Applicant's specification.

Applicant believes that the amendment to Claim 1 merely clarifies what was inherently present in the claim in view of Applicant's specification. That is, while Applicant believes that the limitation of "channel bonding" in Claim 1 as pending distinguishes over the prior art, the additional language clarifies that "channel bonding" is performed by aligning data of a data stream transmitted in parallel by way of a plurality of data channels. Neither Shida nor Lundh discloses or suggests channel bonding operations as claimed.

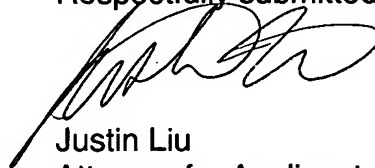
Applicant further believes that neither Shida nor Lundh discloses or suggests that each transceiver comprises a controller receiving a mode control signal designating the transceiver as a master transceiver or a slave transceiver. It is suggested in the Office Action that a base station 22 of Lundh acts as a slave transceiver when communicating with the radio network and a master transceiver when communicating with a mobile station. However, the base stations 22 are connected by landlines 26 to a radio network controller 30, and with mobile stations 24 by way of air links 82. Accordingly, rather than receiving a signal designating the transceiver as a master transceiver or a slave transceiver, the base station 22 acts as both a master and a slave transceiver.

Applicant believes that Claim 1 as amended clearly distinguishes over the combination of references, and is in allowable form. Claims 2-4, 9 and 11-12 depend from Claim 1, and are thus also believed to be in allowable form. Applicant respectfully requests allowance of Claims 1-4, 9 and 11-12.

Conclusion

No new matter has been introduced by any of the above amendments. In light of the above amendments and remarks, Applicant believes that Claims 1-9 and 11-20 are in condition for allowance, and allowance of the application is therefore requested. If action other than allowance is contemplated by the Examiner, the Examiner is respectfully requested to telephone Applicant's attorney, Justin Liu, at 408-879-4641.

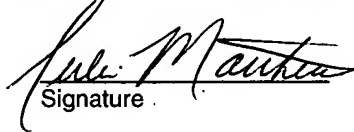
Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450, on December 21, 2006.

Julie Matthews
Name


Signature